

I hereby certify that this correspondence is being filed by facsimile with a confirmation copy being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage and addressed to MS: Board of Appeals, Commissioner of Patents, P.O. Box 1450 Alexandria, VA 22131-1450 on the date indicated below.

Date: September 27, 2004

Signed:

Peter K. Trzyna (Reg. No. 32,601)

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PATENT

OCT 14 2004

Paper No. Technology Center 2600

File: Graff-P2-98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	GRAFF, Richard A.
Serial No.	:	09/134,453
Appeal No.	:	2004-2246
Filed	:	14 August 1998
For	:	COMPUTERS MAKING FINANCIAL ANALYSIS OUTPUT HAVING PROPERTY VALUATIONS
Group Art Unit	:	2761
Examiner	:	N. Rosen

Honorable Commissioner of Patents
Board of Appeals and Interferences
Attn: Chief Administrative Patent Judge
Washington, D.C. 20231

PETITION: BOARD OF APPEALS

SIR:

This Petition respectfully requests the Board to take up the above-identified appeal under priority as if there had been no neglect or delay on the part of the Patent and Trademark Office (PTO) in communicating the appeal to the Board.

Subsequent to Applicant filing all appeal papers for consideration in the appeal, PTO neglect delayed communication of the appeal papers to the Board for more than one year.

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BOARD OF PATENT APPEALS
AND INTERFERENCES

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Previously, the Examiner had required filing a terminal disclaimer in this case, such that Patent Term Extension is not available, and due to the filing date, Term Adjustment is not available.

It is not fair to an Applicant to pay for PTO neglect out of the term of the patent (some claims allowed), and therefore Applicant respectfully requests the Board to take up the appeal under priority as if there had been no neglect or delay on the part of the PTO in communicating the appeal to the Board.


APPLICANT CLAIMS SMALL ENTITY STATUS The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,

Date: September 27, 2004

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Peter K. Trzyna
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